

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JOHN MICHAEL GOULETTE,

Plaintiff,

v.

Case No. 12-11353

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

HON. TERRENCE G. BERG  
HON. MICHAEL J. HLUCHANIUK

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**ORDER ADOPTING MAGISTRATE’S REPORT AND RECOMMENDATION**

This matter is before the Court on Magistrate Judge Michael J. Hluchaniuk’s Report and Recommendation of May 10, 2013, (Dkt. 11) recommending that Plaintiff’s Motion for Summary Judgment be granted in part, that Defendant’s Motion for Summary Judgment be denied in part, that the Commissioner be reversed in part, and that this matter be remanded for further proceedings.

The Court has reviewed the Magistrate Judge’s Report and Recommendation. The law provides that either party may serve and file written objections “[w]ithin fourteen days after being served with a copy” of the report and recommendations. 28 U.S.C. § 636(b)(1). The district court will make a “de novo determination of those portions of the report . . . to which objection is made.” *Id.* Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149–52 (1985). The Court has reviewed and will accept the Magistrate Judge’s Report and Recommendation of May 10, 2013, (Dkt. 11) as the findings and conclusions of this court. Accordingly,

It is hereby ORDERED that Magistrate Judge Hluchaniuk's Report and Recommendation of May 10, 2013, (Dkt. 11) is ACCEPTED and ADOPTED.

It is FURTHER ORDERED that Plaintiff's Motion for Summary Judgment (Dkt. 8) is GRANTED IN PART and Defendant's Motion for Summary Judgment (Dkt. 9) is DENIED IN PART.

It is FURTHER ORDERED that the findings of the Commissioner are REVERSED IN PART, and that this matter is REMANDED for further proceedings.

s/Terrence G. Berg  
TERRENCE G. BERG  
UNITED STATES DISTRICT JUDGE

Dated: May 30, 2013

**Certificate of Service**

I hereby certify that this Order was electronically submitted on May 30, 2013, using the CM/ECF system, which will send notification to each party.

By: s/A. Chubb  
Case Manager